

4VAC15-90-80. Game: Deer: Muzzleloading Gun Hunting.

Summary:

The proposal is to (i) provide full season either-sex deer hunting during the early muzzleloading season on the Featherfin WMA, (ii) full season either-sex deer hunting during both the early and late muzzleloading seasons on private lands in Botetourt, Rockingham (east of Routes 613 and 731) and Wythe counties, and (iii) drop the minimum .45 caliber bore, and the minimum 50 grain powder requirements from the definition of a legal muzzleloading firearm for deer hunting.

Proposed language of amendment:

4VAC15-90-80. Muzzleloading Gun Hunting.

A. It shall be lawful to hunt deer during the early special muzzleloading season with muzzleloading guns from the Saturday prior to the first Monday in November through the Friday prior to the third Monday in November, both dates inclusive, in all cities, towns, and counties where deer hunting with a rifle or muzzleloading gun is permitted, except in the cities of Chesapeake, Suffolk (east of the Dismal Swamp Line), and Virginia Beach.

B. It shall be lawful to hunt deer during the late special muzzleloading season with muzzleloading guns starting 21 consecutive days immediately prior to and on the first Saturday in January:

1. In all cities, towns, and counties west of the Blue Ridge Mountains (except Clarke County and on non-national forest lands in Frederick County);

2. East of the Blue Ridge Mountains in the Counties (including the cities and towns within) of Amherst (west of Business U.S. 29 from the James River to its intersection with U.S. 29 just south of the Town of Amherst continuing north on U.S. 29 to the Tye River), Bedford, Franklin, Henry, Nelson (west of Route 151), and Patrick;

3. On national forest lands in Frederick County; and

4. In the Cities of Chesapeake, Suffolk (east of the Dismal Swamp Line), and Virginia Beach.

C. Deer of either sex may be taken during the entire early special muzzleloading season east of the Blue Ridge Mountains unless otherwise noted in this subsection:

1. Deer of either sex may be taken on the second Saturday only of the early special muzzleloading season on state forest lands, state park lands (except Occoneechee State Park), department-owned lands (except on the Featherfin and Merrimac Farm Wildlife Management Areas), and Philpott Reservoir.

2. Antlered bucks only—no either-sex deer hunting days during the early special muzzleloading season on national forest lands in Amherst, Bedford, and Nelson Counties.

D. Deer of either sex may be taken on the second Saturday only during the early special muzzleloading season west of the Blue Ridge Mountains unless otherwise noted in this subsection:

1. Deer of either sex may be taken during the entire early special muzzleloading season in Clarke and Floyd Counties and on private lands in Botetourt, Carroll, Frederick, Grayson, Montgomery, Pulaski, Roanoke, Rockingham (east of Routes 613 and 731), Scott, Shenandoah, ~~and~~ Warren, and Wythe Counties.

~~2. Deer of either sex may be taken on the second Saturday and the last five days of the early muzzleloading season on private lands in Botetourt County.~~

~~32.~~ Antlered bucks only—no either-sex deer hunting days during the early special muzzleloading season in Buchanan, Dickenson, Lee, Russell, Tazewell, and Wise Counties and on national forest lands in Alleghany, Bland, Craig, Frederick, Giles, Grayson, Montgomery, Page, Pulaski, Rockingham, Scott, Shenandoah, Warren, and on national forest and department-owned lands in Augusta, Bath, Botetourt, Carroll, Highland (except Highland Wildlife Management Area), Roanoke, Rockbridge, Smyth, Washington, and Wythe Counties and on Channels State Forest, Grayson Highlands State Park, Hungry Mother State Park, and on private lands west of Routes 613 and 731 in Rockingham County.

E. Deer of either sex may be taken during the last six days of the late special muzzleloading season unless otherwise listed in this subsection:

1. Deer of either sex may be taken full season during the entire late special muzzleloading season in the Counties (including the cities and towns within) of Amherst (west of Business U.S. 29 from the James River to its intersection with U.S. 29 just south of the Town of Amherst continuing north on U.S. 29 to the Tye River, except on national forest lands), Bedford (except on national forest lands), Floyd, Franklin, Henry, Nelson (west of Route 151, except on national forest lands), and Patrick and on private lands in Botetourt, Carroll, Grayson, Montgomery, Pulaski, Roanoke, Rockingham (east of Routes 613 and 731), Shenandoah, ~~and~~ Warren, and Wythe Counties.

2. Deer of either sex may be taken the last day only during the late special muzzleloading season in Alleghany, Bath, Dickenson, Highland, Lee, Russell, Tazewell, and Wise Counties and on national forest lands in Amherst, Bedford, Bland, Craig, Frederick, Giles, Grayson, Montgomery, Nelson, Page, Pulaski, Rockingham, Scott, Shenandoah, and Warren Counties, and on national forest and department-owned lands in Augusta, Botetourt, Carroll, Roanoke, Rockbridge, Smyth, Washington, and Wythe Counties and on private lands west of Routes 613 and 731 in Rockingham County, Channels State Forest, and Grayson Highlands State Park, and Hungry Mother State Park.

3. Antlered bucks only—no either-sex deer hunting days during the late special muzzleloading season in Buchanan County.

F. Deer of either sex may be taken full season during the special muzzleloading seasons within the incorporated limits of any city or town in the Commonwealth that allows deer hunting except in the Cities of Chesapeake, Suffolk, and Virginia Beach.

G. It shall be unlawful to hunt deer with dogs during any special season for hunting with muzzleloading guns, except that tracking dogs as described in § 29.1-516.1 of the Code of Virginia may be used.

H. A muzzleloading gun, for the purpose of this section, means a single shot weapon, ~~45-caliber or larger, firing a single projectile or sabot (with a .35 caliber or larger projectile) of the same caliber loaded from the muzzle of the weapon and propelled by at least 50 grains of black powder (or black powder equivalent or smokeless powder).~~

I. It shall be unlawful to have in immediate possession any firearm other than a muzzleloading gun while hunting with a muzzleloading gun in a special muzzleloading season.

Rationale:

Featherfin WMA early muzzleloading either-sex deer hunting. With the exception of the early archery season, all deer hunting on Featherfin WMA is done by quotas. Local Department staff have seen an increase in deer numbers on the area and propose increasing the antlerless deer kill on the area.

Botetourt, Rockingham (east of Routes 613 and 731) and Wythe counties early and late muzzleloading private land either-sex deer hunting. Newly adopted deer population objectives call for reducing the private land deer population in Botetourt, Rockingham, and Wythe counties. The archery and firearms deer seasons already have full season either-sex deer hunting on private lands in these counties. Therefore, Department staff proposes that muzzleloading either-sex deer hunting opportunities be expanded to meet the deer population objective.

Muzzleloading caliber and powder requirements. During the last regulations cycle, the Department changed the minimum muzzleloading gun projectile size from .38 to .35 caliber. This change was made because several popular commercially available sabot projectiles for use in 45 and 50 caliber muzzleloaders range from .357 to .45 (<https://www.prbullet.com/pts.htm>). This change made the use of these .357 sabot projectiles legal for muzzleloading deer hunting in Virginia.

Having done so, staff proposes now removing the minimum bore size for muzzleloaders, while retaining the minimum .35 caliber projectile size. This will allow those with muzzleloading weapons to fire the same projectiles, though from a smaller bore size if they so choose.

Further, Virginia currently allows either smokeless or black powder for muzzleloader deer hunting. The existing minimum of 50 grains of powder is logical for those using black powder or a black powder equivalent, but smokeless powder is a more powerful propellant. Depending on the type of smokeless powder, as low as 10-15 grains of smokeless powder can make a lethal and ethical kill on big game. Requiring hunters to use 50 or more grains of powder is unnecessary when dealing with smokeless muzzleloaders, which are gaining in popularity. A realistic minimum powder charge that would apply to smokeless powders would be difficult to determine, since there exist vast differences in burn rate and applicable charges among smokeless powders.